

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**FRANCES ANSLEY HAHN**  
**a.k.a. FRANCES ANSLEY GRIFFIN**  
**29235 Pebble Beach Drive**  
**Murrieta, CA 92563**

**Registered Nurse License No. 534319**

Respondent

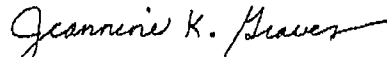
Case No. 2011-846

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **August 8, 2011.**

- IT IS SO ORDERED **August 8, 2011.**



\_\_\_\_\_  
President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 State Bar No. 101336  
AMANDA DODDS  
4 Senior Legal Analyst  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2141  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-846

13 **FRANCES ANSLEY HAHN**  
14 **aka FRANCES ANSLEY GRIFFIN**  
29235 Pebble Beach Drive  
Murrieta, CA 92563

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 **Registered Nurse License No. 534319**

16 Respondent.  
17

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
22 Registered Nursing. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Amanda Dodds,  
24 Senior Legal Analyst.

25 2. Frances Ansley Hahn, also known as Frances Ansley Griffin (Respondent) is  
26 represented in this proceeding by attorney David M. Balfour, of DiCaro, Coppo & Popcke, whose  
27 address is 2780 Gateway Road, Carlsbad, California 92009.

28 ///

3. On or about July 24, 1997, the Board of Registered Nursing issued Registered Nurse License No. 534319 to Frances Ansley Hahn, also known as Frances Ansley Griffin (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2011-846 and will expire on August 31, 2011, unless renewed.

## JURISDICTION

4. Accusation No. 2011-846 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on April 13, 2011. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2011-846 is attached as Exhibit A and incorporated by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2011-846. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent understands that the charges and allegations in Accusation No. 2011-846, if proven at a hearing, constitute cause for imposing discipline upon her Registered Nurse License.

9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up her right to contest that cause for discipline exists based on those charges.

10. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

## RESERVATION

11. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

## CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement.

1 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
2 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
3 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
4 executed by an authorized representative of each of the parties.

5 15. In consideration of the foregoing admissions and stipulations, the parties agree that  
6 the Board may, without further notice or formal proceeding, issue and enter the following Order:

7 **ORDER**

8 IT IS HEREBY ORDERED that Registered Nurse License No. 534319, issued to  
9 Respondent Frances Ansley Hahn, also known as Frances Ansley Griffin, is surrendered and  
10 accepted by the Board of Registered Nursing.

11 1. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
12 of the effective date of the Board's Decision and Order.

13 2. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
14 issued, her wall certificate on or before the effective date of the Decision and Order.

15 3. If Respondent ever files an application for licensure or a petition for reinstatement in  
16 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
17 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
18 effect at the time the petition is filed, and all of the charges and allegations contained in  
19 Accusation No. 2011-846 shall be deemed to be true, correct and admitted by Respondent when  
20 the Board determines whether to grant or deny the petition.

21 4. If and when Respondent's license is reinstated, she shall pay to the Board costs  
22 associated with its investigation and enforcement pursuant to Business and Professions Code  
23 section 125.3 in the amount of \$582.50. Respondent shall be permitted to pay these costs in a  
24 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
25 Board from reducing the amount of cost recovery upon reinstatement of the license.

26 5. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
27 years from the effective date of the Board of Registered Nursing's Decision and Order.

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

DATED: 5/24/2011

DATED: 6/2/2011

Dated: 6/3/2011

Amanda Dodds

**Stipulated Surrender of License (Case No. 2011-846)**

**Exhibit A**

**Accusation No. 2011-846**

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Supervising Deputy Attorney General  
3 State Bar No. 101336  
AMANDA DODDS  
4 Senior Legal Analyst  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 645-2141  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

2011-846

12 **FRANCES ANSLEY HAHN**  
13 **aka FRANCES ANSLEY GRIFFIN**  
14 **29235 Pebble Beach Drive**  
**Murrieta, CA 92563**

**A C C U S A T I O N**

15 **Registered Nurse License No. 534319**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about July 24, 1997, the Board of Registered Nursing issued Registered Nurse  
24 License Number 534319 to Frances Ansley Hahn, also known as Frances Ansley Griffin  
25 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to  
26 the charges brought herein and will expire on August 31, 2011, unless renewed.

27 ///

28 ///



## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

## STATUTORY PROVISIONS

6. Section 482 of the Code states:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

(a) Considering the denial of a license by the board under Section 480; or

(b) Considering suspension or revocation of a license under Section 490.

Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

7. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

8. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board

1 may inquire into the circumstances surrounding the commission of the crime in order  
2 to fix the degree of discipline or to determine if the conviction is substantially related  
to the qualifications, functions, and duties of the licensee in question.

3 As used in this section, "license" includes "certificate," "permit," "authority,"  
4 and "registration."

5 9. Section 2761 of the Code states:

6 The board may take disciplinary action against a certified or licensed nurse or  
7 deny an application for a certificate or license for any of the following:

8 (a) Unprofessional conduct, which includes, but is not limited to, the  
following:

9 . . . .

10 (f) Conviction of a felony or of any offense substantially related to the  
11 qualifications, functions, and duties of a registered nurse, in which event the record of  
the conviction shall be conclusive evidence thereof. . . .

12 10. Section 2762 of the Code states:

13 In addition to other acts constituting unprofessional conduct within the meaning  
14 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person  
licensed under this chapter to do any of the following:

15 . . . .

16 (b) Use any controlled substance as defined in Division 10 (commencing with  
17 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous  
device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner  
18 dangerous or injurious to himself or herself, any other person, or the public or to the  
extent that such use impairs his or her ability to conduct with safety to the public the  
19 practice authorized by his or her license.

20 (c) Be convicted of a criminal offense involving the prescription, consumption,  
or self-administration of any of the substances described in subdivisions (a) and (b) of  
21 this section, or the possession of, or falsification of a record pertaining to, the  
substances described in subdivision (a) of this section, in which event the record of  
22 the conviction is conclusive evidence thereof. . . .

## 23 REGULATORY PROVISIONS

24 11. California Code of Regulations, title 16, section 1444, states:

25 A conviction or act shall be considered to be substantially related to the  
26 qualifications, functions or duties of a registered nurse if to a substantial degree it  
evidences the present or potential unfitness of a registered nurse to practice in a  
27 manner consistent with the public health, safety, or welfare. Such convictions or acts  
shall include but not be limited to the following:

28 ///

1 (a) Assaultive or abusive conduct including, but not limited to, those violations  
2 listed in subdivision (d) of Penal Code Section 11160.

3 (b) Failure to comply with any mandatory reporting requirements.

4 (c) Theft, dishonesty, fraud, or deceit.

5 (d) Any conviction or act subject to an order of registration pursuant to Section  
6 290 of the Penal Code.

7 12. California Code of Regulations, title 16, section 1445 states:  
8 .....

9 (b) When considering the suspension or revocation of a license on the grounds  
10 that a registered nurse has been convicted of a crime, the board, in evaluating the  
11 rehabilitation of such person and his/her eligibility for a license will consider the  
12 following criteria:

13 (1) Nature and severity of the act(s) or offense(s).

14 (2) Total criminal record.

15 (3) The time that has elapsed since commission of the act(s) or offense(s).

16 (4) Whether the licensee has complied with any terms of parole, probation,  
17 restitution or any other sanctions lawfully imposed against the licensee.

18 (5) If applicable, evidence of expungement proceedings pursuant to Section  
19 1203.4 of the Penal Code.

20 (6) Evidence, if any, of rehabilitation submitted by the licensee.

## 21 COSTS

22 13. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
23 administrative law judge to direct a licensee found to have committed a violation or violations of  
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
25 enforcement of the case.

## 26 FIRST CAUSE FOR DISCIPLINE

27 (August 23, 2005 Criminal Conviction for DUI on May 23, 2005)

28 14. Respondent has subjected her license to disciplinary action under sections 490 and  
27 2761, subdivision (f) of the Code in that Respondent was convicted of a crime that is substantially  
26 related to the qualifications, functions, and duties of a registered nurse. The circumstances are as  
25 follows:

1 a. On or about August 23, 2005, in a criminal proceeding entitled *People of the*  
2 *State of California v. Frances Ansley Hahn*, in Riverside County Superior Court, case number  
3 SWM038955, Respondent was convicted on her plea of guilty of violating Vehicle Code section  
4 23152, subdivision (b), driving with a blood alcohol concentration (BAC) of .08 or higher, a  
5 misdemeanor. An additional count of violating Vehicle Code section 23152, subdivision (a),  
6 driving under the influence of alcohol, was dismissed pursuant to a plea agreement.

7 b. As a result of the conviction, on or about August 23, 2005, Respondent was  
8 committed to the custody of the sheriff for 12 days, to be served on consecutive weekends, and  
9 sentenced to 36 months summary probation. Respondent was further ordered to complete a four-  
10 month First Offender DUI Program, pay \$1,391.40 in fees, fines, and restitution, and comply with  
11 the terms of standard DUI probation. The court assessed Respondent's blood alcohol  
12 concentration (BAC) in excess of .20 percent. On or about October 19, 2007, Respondent's  
13 probation was revoked and a bench warrant was issued. At a hearing on or about February 7,  
14 2008, Respondent admitted her probation violation. Probation was reinstated on the same terms  
15 and conditions, and the court ordered Respondent to serve an additional five days in the custody  
16 of the sheriff.

17 c. The facts that led to the conviction are that on or about May 23, 2005,  
18 Respondent was arrested by the California Highway Patrol in Lake Elsinore for operating a motor  
19 vehicle while under the influence of alcohol.

## 20 SECOND CAUSE FOR DISCIPLINE

### 21 (February 7, 2008 Criminal Conviction for Hit & Run on August 23, 2007)

22 15. Respondent has subjected her license to disciplinary action under sections 490 and  
23 2761, subdivision (f) of the Code in that Respondent was convicted of a crime that is substantially  
24 related to the qualifications, functions, and duties of a registered nurse. The circumstances are as  
25 follows:

26 a. On or about February 7, 2008, in a criminal proceeding entitled *People of the*  
27 *State of California v. Frances Ansley Griffin, aka Frances Ansley Hahn, aka Frances Ansley*  
28 *Johnson*, in Riverside County Superior Court, case number SWM068380, Respondent was

1 convicted on her plea of guilty of violating Vehicle Code section 20002, subdivision (a), willfully  
2 failing to stop the vehicle she was driving at the scene of an accident resulting in damage to  
3 property, a misdemeanor.

4 b. As a result of the conviction, on or about February 7, 2008, Respondent was  
5 sentenced to two years summary probation and ordered committed to the custody of the sheriff  
6 for 10 days, to be served on consecutive weekends. Respondent was further ordered to pay \$517  
7 in fees, fines, and restitution, plus restitution to the victim, and to comply with probation terms.

8 c. The facts that led to the conviction are that in or about the early morning of  
9 August 23, 2007, in Riverside County, Respondent was involved in an traffic accident resulting in  
10 damage to property, and she failed to stop her vehicle at the scene of the accident and give notice  
11 of her name and address.

### 12 **THIRD CAUSE FOR DISCIPLINE**

#### 13 **(October 20, 2010 Criminal Convictions for DUI on June 23, 2010)**

14 16. Respondent has subjected her license to disciplinary action under sections 490 and  
15 2761, subdivision (f) of the Code in that Respondent was convicted of crimes that are  
16 substantially related to the qualifications, functions, and duties of a registered nurse. The  
17 circumstances are as follows:

18 a. On or about October 20, 2010, in a criminal proceeding entitled *People of the*  
19 *State of California v. Frances Ansley Griffin*, in Riverside County Superior Court, case number  
20 SWM10005395, Respondent was convicted on her plea of guilty of violating Vehicle Code  
21 section 23152, subdivision (a), driving under the influence of alcohol, and Vehicle Code section  
22 23152, subdivision (b), driving with a blood alcohol concentration (BAC) of .08 or higher,  
23 misdemeanors. As to both counts, Respondent admitted and the court found true the allegations  
24 that her BAC was .15 percent or more within the meaning of Vehicle Code section 23578, and  
25 that Respondent was previously convicted of violating Vehicle Code section 23152, subdivision  
26 (a) on August 23, 2005. (See paragraph 14, above.)

27 b. As a result of the conviction, on or about October 20, 2010, Respondent was  
28 granted summary probation for 48 months, and committed to the custody of the sheriff for 15

1 days, with credit for two days served, to be served on consecutive weekends. Respondent was  
2 further ordered to complete a Drinking Driver Program, pay \$2,529.43 in fees, fines, and  
3 restitution, and comply with the terms of DUI probation.

4 c. The facts that led to the conviction are that on or about June 23, 2010, in the  
5 early morning, a Riverside County Sheriff's Deputy on patrol observed Respondent driving at a  
6 high rate of speed and maneuvering through traffic in a dangerous manner. The deputy  
7 conducted a traffic stop. Upon contact with Respondent, the deputy noted a strong odor of an  
8 alcoholic beverage on Respondent's breath, her eyes were bloodshot and watery, and her speech  
9 was loud and slurred. Respondent was asked to exit her vehicle and she staggered to the deputy's  
10 evaluation point. Respondent refused to perform field sobriety tests and she resisted arrest when  
11 the deputy attempted to handcuff her. Respondent agreed to submit to a blood chemical test, but  
12 during booking she refused. Blood had to be drawn while Respondent was still handcuffed.

#### 13 **FOURTH CAUSE FOR DISCIPLINE**

##### 14 **(Unprofessional Conduct - Use of Alcohol in a Dangerous Manner)**

15 17. Respondent has subjected her registered nurse license to disciplinary action under  
16 section 2762, subdivision (b) of the Code for unprofessional conduct in that on or about May 23,  
17 2005, and June 23, 2010, as described in paragraphs 14 and 16, above, Respondent used alcoholic  
18 beverages to an extent or in a manner that was potentially dangerous and injurious to herself, and  
19 to others in that she operated a motor vehicle while under the influence of alcohol.

#### 20 **FIFTH CAUSE FOR DISCIPLINE**

##### 21 **(Unprofessional Conduct - Conviction of Alcohol-Related Criminal Offenses)**

22 18. Respondent has subjected her registered nurse license to disciplinary action under  
23 section 2762, subdivision (c) of the Code for unprofessional conduct in that on or about August  
24 23, 2005, and October 20, 2010, as described in paragraphs 14 and 16, above, Respondent was  
25 convicted of criminal offenses involving the consumption and/or self-administration of alcohol.

26 ///

27 ///

28 ///

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 534319, issued to Frances Ansley Hahn, also known as Frances Ansley Griffin;

2. Ordering Frances Ansley Hahn to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: \_\_\_\_\_

4/13/11

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SD2011700472  
80486057.doc